

PTO/PCT Rec'd 07 JUN 2002

218083US-832-832-6-PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :  
ERICH BAYER : ATTN: APPLICATION DIVISION  
SERIAL NO: 10/030,192 :  
FILED: 4 February 2002 : EXAMINER:  
FOR: OTOPLASTY FOR BEHIND-THE :  
EAR HEARING AIDS

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Prior to a first examination on the merits, please amend the above-identified  
application as follows:

IN THE CLAIMS

Please cancel Claims 1-14 without prejudice.

Please add new Claims 15-31 as follows:

15. (New) Earpiece for behind-the-ear parts of hearing acoustics devices, by which a signal conductor that comes from a BTE device can be positioned in an auditory canal, wherein the earpiece is individually configured to a patient's anatomy and including a part configured to provide a hold essentially having a shape of a clip, configured to follow an outer edge of the patient's cavum conchae in an arc shape, at least in segments, wherein a shank that follows the outer edge of the cavum conchae makes a transition, above the patient's antitragus, into an angled traverse segment that passes through the cavum conchae,

which runs in a direction of the patient's porus acusticus externus, and broadens to hold the signal conductor at its end segment, which comes to rest in an upper region of the auditory canal.

16. (New) Earpiece according to Claim 15, wherein the signal conductor is flexible and the BTE device is a sound tube.

17. (New) Earpiece according to Claim 15, wherein the end segment makes a transition to an auditory canal tab that also comes to rest only in a top region of the auditory canal.

18. (New) Earpiece according to Claim 17, wherein the auditory canal tab has a bore to hold the signal conductor.

19. (New) Earpiece according to Claim 17, wherein the auditory canal tab has a diameter that makes up only a fraction of a diameter of the auditory canal.

20. (New) Earpiece according to Claim 15, wherein the shank that follows the outer edge of the cavum conchae runs beyond an angled location for the traverse segment, along the patient's anthelix, and forms an additional shank there.

21. (New) Earpiece according to Claim 20, wherein the additional shank is extended to a location behind the antitragus.

22. (New) Earpiece for behind-the-ear parts of hearing acoustics devices, by which a signal conductor that comes from a BTE device can be positioned in an auditory canal, wherein the earpiece is individually configured to a patient's anatomy, wherein a part of the earpiece that provides a hold is held in the patient's cyma, countersunk and fitted, and carries a clip that passes over an edge of the patient's external ear in a shape of an arc, an end of which clip forms a holder for the signal conductor.

23. (New) Earpiece according to Claim 22, wherein the signal conductor is flexible and the BTE device is a sound tube.

24. (New) Earpiece according to Claim 22, wherein the clip is broadened at the end and forms a sound tube holder.

25. (New) Earpiece according to Claim 22, wherein a main body that provides the hold extends into a region of the patient's crus anthelicis.

26. (New) Earpiece according to Claim 24, wherein the sound tube holder is located directly above the patient's incisura anterior, between the patient's tragus and the patient's crus helicis.

27. (New) Earpiece according to Claim 24, wherein the sound tube holder is recessed between the patient's incisura anterior and the patient's tragus, in an entrance region to the auditory canal.

28. (New) Earpiece according to Claim 24, wherein the sound tube holder is formed by an auditory canal tab arranged without making contact in an upper region of the auditory canal, which holder surrounds a sound tube or an angled piece of the earpiece.

29. (New) Earpiece according to Claim 25, wherein the sound tube holder is stabilized by a support claw, which extends from a bottom of the sound tube holder in a direction of the patient's antitragus, molding itself against the patient's concha.

30. (New) Earpiece according to Claim 15, for use with cochlear implant microphones or CI BTE processors, with BTE tinnitus systems.

31. (New) Earpiece according to Claim 22, for use with cochlear implant microphones or CI BTE processors, with BTE tinnitus systems.

IN THE ABSTRACT

Please cancel the original Abstract on page 17 in its entirety and insert therefor:

**ABSTRACT**

An otoplasty for behind-the-ear provisions for hearing aids, with which a preferably flexible signal conductor coming from the behind-the-ear device, such as a sound tube, can be positioned in the auditory canal. The otoplasty is individually adapted to the anatomy of the patient. Its fixing part is essentially in the form of a hook that follows the outer edge of the patient's cavum conchae in an arch, at least in some areas. A limb that follows the edge of the cavum conchae becomes a bent transversal section above the patient's antitragus, traversing the cavum conchae, extending in the direction of the patient's porus acusticus externus and expanding at its end section which comes to rest in the upper area of the auditory canal, to receive the signal conductor.

REMARKS

Favorable consideration of this application, as presently amended, is respectfully requested.

The present preliminary amendment is submitted to place the above-identified application in more proper format under United States practice.

By the present preliminary amendment original Claims 1-14 are canceled and new Claims 15-31 are presented for examination. New Claims 15-31 are deemed to be self-evident from the original disclosure, including original Claims 1-14, and thus are not deemed to raise any issues of new matter. Further, new Claims 15-31 are not believed to be more narrow in scope in any aspect in comparison with canceled Claims 1-14.

A new Abstract believed to be in more proper format under United States practice is also submitted herein.

The present application is believed to be in condition for a full and thorough examination on the merits. An early and favorable consideration of the present application is hereby respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Surinder Sachar  
Registration No. 34,423



**22850**

(703) 413-3000  
Fax No.: (703)413-2220  
SNS/rac  
I:\atty\SNS\218083US-PR.wpd

218083US-832-832-6-PCT

|   |
|---|
| <b>Marked-Up Copy</b><br>Serial No: <u>10/030,172</u><br>Amendment Filed on:<br><u>6-7-2002</u> |
|---|

IN THE CLAIMS

Claims 1-14 (Canceled).

Claims 15-31 (New).

IN THE ABSTRACT

(New).